

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE FIFTH DAY OF OCTOBER TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

IA No. 1 OF 2020

IN

WP NO: 16799 OF 2020

Between:

M/s Penna Cement Industries Ltd. Lakshmi Nivas 705, Road # 3, Banjara Hills,
Hyderabad -500 034. Rep. by its Chief Financial Officer, Sri Petluru Venugopal
Reddy, S/o. Late Krishna Reddy

Unit at:

Ganeshpahad (V), Damaracherla (M), Nalgonda District -508 355. Service
Connection No.NLG-406

...Petitioner

(Petitioner in WP 16799 OF 2020
on the file of High Court)

AND

1. Southern Power Distribution Company of Telangana Ltd, #6-1-50, Mint Compound, Hyderabad-500063. Represented by its Chairman and Managing Director
2. The Superintending Engineer, Operation Circle, Nalgonda, TSSPDCL.
3. Transmission Corporation of Telangana Limited, Vidyut Soudha, Khairatabad, Hyderabad-500 082. Represented by its Chairman and Managing Director
4. Transmission Corporation of Andhra Pradesh Limited, Vidyut Soudha, Gunadala, Eluru Road, Vijayawada-520004. Represented by its Chairman and Managing Director
5. M/s Andhra Pradesh Gas Power Corporation Ltd, #201, 2nd Floor, My Home Sarovar Plaza, Secretariat Road, Hyderabad -500 003. Represented by its Managing Director

...Respondents

(Respondents in-do-)

Counsel for the Petitioner

:SRI CHALLA GUNARANJAN

Counsel for the Respondents 1 TO 3

:SRI R VINOD REDDY (S.C.)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents 1 and 2 not to take any coercive steps, including that of disconnection of power supply to the Petitioner's HT Service Connection No. NLG-406 (Presently the service is merged in NLG 718), or levying the charges in the petitioner's CC bills, pursuant to the demand notice Lr.No. SE/OP/NALGONDA/D.No.156, Dt 20/06/2020, pending disposal of WP No. 16799 of 2020, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case)

ORDER:

A learned Single Judge of this Court in I.A.No.1 of 2020 in W.P.No.12372 of 2020, dated 10.08.2020, following the Division Bench Order in I.A.No.1 of 2020 in W.P.No.11735 of 2020, has granted interim orders on the ground that there is no privity of contract between the petitioner and the Superintending Engineer, Operation Circle, Suryapet, TSSPDCL/2nd respondent. The facts in the present case are also similar to the facts in the above mentioned writ petitions.

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In view of the same, this Court is of the *prima facie* opinion that there is no privity of contract between the petitioner and the 2nd respondent, and there is no adjudication of the differential wheeling charges by any authority, and therefore, there shall be an interim direction, as prayed for.

SD/- B.SATYA VATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman and Managing Director, Southern Power Distribution Company of Telangana Ltd, #6-1-50, Mint Compound, Hyderabad-500063.
2. The Superintending Engineer, Operation Circle, Nalgonda, TSSPDCL.
3. The Chairman and Managing Director, Transmission Corporation of Telangana Limited, Vidyut Soudha, Khairatabad, Hyderabad-500 082.
4. The Chairman and Managing Director, Transmission Corporation of Andhra Pradesh Limited, Vidyut Soudha, Gunadala, Eluru Road, Vijayawada-520004.
5. The Managing Director, M/s Andhra Pradesh Gas Power Corporation Ltd, #201, 2nd Floor, My Home Sarovar Plaza, Secretariat Road, Hyderabad -500 003. (To 5 by RPAD)
6. One CC to SRI. CHALLA GUNARANJAN Advocate [OPUC]
7. One spare copy

HIGH COURT

AARJ

DATED:05/10/2020

ORDER

IA.NO.1 OF 2020

IN

WP.No.16799 OF 2020

INTERIM DIRECTION



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